

EXHIBIT A

Deposition of Rudolf Dehaan

Dehaan v. Rockvam, Case. No. 07-CV-257-J
Memorandum in Support of Motion for Summary Judgment

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

RUDOLF DEHAAN,) Civil Case No.
Plaintiff,) 7-CV-257
VS.)
PERRY ROCKVAM, Individually)
and as Representative for)
CODY POLICE DEPARTMENT, AND)
CODY POLICE DEPARTMENT, AND)
SCOTT A. STEWARD,)
Individually and as)
Representative for PARK)
COUNTY SHERIFF'S DEPARTMENT)
AND DETENTION CENTER, AND)
PARK COUNTY SHERIFF'S OFFICE)
AND DETENTION CENTER, AND)
OFFICER TORIN CHAMBERS, AND)
JOHN DOES #1, #2, #3, #4, #5,)
AND #6,)
Defendants.)

DEPOSITION OF

RUDOLF DEHAAN

JUNE 9, 2008

1 Q. So you had an initial surgery when the incident
2 happened?

3 A. Yes.

4 Q. So, and you've had two since then, so three
5 total?

6 A. I believe so. Maybe just one after that.

7 Q. Two or three?

8 A. Yep.

9 Q. Do you have problems with it any more?

10 A. No.

11 Q. When was your last surgery for that arm?

12 A. I don't remember.

13 Q. Who was your doctor for that?

14 A. I believe it was Smith.

15 Q. In Cody?

16 A. Yep.

17 Q. Okay. Let's talk about your broken arm in
18 2004. How did that happen?

19 A. Joint of drill pipe. It was really windy, and
20 the blocks flew back and hit a joint of drill
21 pipe that I was holding and it broke my arm,
22 forearm.

23 Q. Did the blocks actually hit your arm?

24 A. No, it was drill pipe.

25 Q. Just the force of the drill pipe coming --

1 explain that. I don't understand.

2 A. The blocks are what you latch on to the drill
3 pipe. And the wind was blowing real hard, and
4 they snagged the dirt in the derrick. And when
5 they shot across, hit the pipe and knocked the
6 pipe against my arm.

7 Q. Did you keep working?

8 A. No.

9 Q. What happened after that happened?

10 A. I went to the Lincoln Medical Center, I
11 believe, is what it was called.

12 Q. How did you get there?

13 A. My tool pusher -- no. It was a safety man on
14 location took me.

15 Q. And what happened then?

16 A. They x-rayed and reset my arm and put my arm in
17 a cast.

18 Q. When you say reset arm, what does that mean?

19 A. It was broken, so they set the bone.

20 Q. How did they do that?

21 A. Just kind of pulled on it and made it line up.

22 Q. Did that hurt?

23 A. Yeah.

24 Q. Do you remember the name of the doctor that you
25 saw there?

1 A. No.

2 Q. Okay. What were the instructions they gave you
3 on how to care for it?

4 A. Just keep it dry, no work for four -- four to
5 six weeks.

6 Q. Any other instructions?

7 A. No.

8 Q. What about follow-up care?

9 A. Cast was supposed to come off about four to six
10 weeks, depending on how it healed.

11 Q. Did they tell you to come back and see them
12 again?

13 A. No. They knew I was from Powell, Wyoming.

14 They told me if I needed to, go see another
15 doctor.

16 Q. Where is Lincoln Medical Center, where is that
17 located?

18 A. I believe it's Kemmerer, Wyoming.

19 Q. Where were you working at the time?

20 A. Outside of Kemmerer, out in the Badlands
21 somewhere on a drilling rig.

22 Q. Did you commute there from Cody?

23 A. Yeah, I drove there.

24 Q. Is that something you go on a daily basis?

25 A. No. Weekly. You go for seven days at a time.

1 Q. Did you ever -- did you have an appointment
2 set?

3 A. No, I didn't. I was just going to do a walk-in
4 at the clinic.

5 Q. Other than the money received from Worker's
6 Comp., did you make any other money during that
7 time period?

8 A. No.

9 Q. All right. Do you -- the day -- do you
10 remember the date you were arrested?

11 A. October 29, 2004.

12 Q. Okay. Explain to me what happened.

13 A. They came and arrested me.

14 Q. Who are they?

15 A. I'm not positive. I thought it was Officer
16 Chambers, but I'm not positive. Two police
17 officers from the Park County Detention Center.

18 Q. From the detention center?

19 A. Well, for the police department, I guess.

20 Q. Are they Park County or Cody?

21 A. Cody.

22 Q. When you say you thought that it was Chambers,
23 how do you know Officer Chambers?

24 A. He's always picked me up for everything.

25 Q. Would you say that you -- you know what he

1 looks like?

2 A. Oh, yeah.

3 Q. You would recognize him if you saw him?

4 A. Oh, yeah.

5 Q. Why do you think it was him that night?

6 A. I just believe it's him. He's pretty much
7 always there.

8 Q. Okay. Explain to me what happened.

9 A. I was just walking out of my room, and there
10 was a police officer coming down the sidewalk
11 towards me and said, "Rudy, you're under
12 arrest."

13 And I asked why and about that time, a
14 cop come up behind me and kind of grabbed me to
15 make sure I wasn't going anywhere, I guess.

16 And he goes, "We'll just tell you when you get
17 to the police station." And he started --

18 Q. Let's back up a second. The officer coming
19 towards you to say, Rudy, who was that?

20 A. I'm not sure.

21 Q. Did you recognize him?

22 A. No.

23 Q. Okay. Then the person that came up behind you?

24 A. I think that was Officer Chambers. I'm not
25 sure.

1 pain.

2 Q. When you say throwing fits, explain that to me.

3 A. Pretty much throwing fits, telling them that I
4 needed medical attention, and I'm sure I wasn't
5 very polite.

6 Q. How many people were in the room at that time?

7 A. At one time, there was probably every jailer
8 there, because I was raising a ruckus.

9 Q. Okay. And just to go over the rest of it,
10 starting at the bottom where it says Dehaan --
11 and I'm sorry, your name is spelled incorrectly
12 there, but it's 000415, the bottom of the third
13 page?

14 A. Okay.

15 Q. Your name appears at the top as the patient,
16 and it's from South Lincoln Medical Center.

17 Do these look like documents pertaining
18 to your first injury, or does it look
19 consistent with that? You may have never seen
20 this.

21 A. Yeah, 10-12-04. Yeah, I believe which is when
22 I broke my arm.

23 Q. So it's consistent?

24 A. Yep.

25 Q. And the next page number 416, also consistent

1 A. Oh, yeah, for them to get my stuff from
2 Kemmerer, yes, I do.

3 Q. So then receiving medical information would be
4 consistent with you signing a medical release
5 form; correct?

6 A. Right.

7 Q. Okay. And then you said your attorney was
8 Simpson. On 11-03, it says, "Left a message at
9 Mr. Simpson's office"?

10 A. Yes.

11 Q. Was that you contacting him?

12 A. Probably.

13 Q. Did you receive four pairs of socks and four
14 pair of underwear?

15 A. Probably.

16 Q. And then it says here on 11-03, you were
17 transferred?

18 A. Yep.

19 Q. Is that consistent?

20 A. Yes.

21 Q. That's when you went to Big Horn County?

22 A. Yes.

23 Q. Which I assume is recommended by the BHCO on
24 that line.

25 Then 11-07, released -- time served

1 about it?

2 A. I don't know.

3 Q. Did you ever personally tell him that you were
4 injured and you needed medical care?

5 A. Like I say, I told everybody who came back
6 there.

7 Q. If he didn't come back, then it's possible that
8 you didn't ever tell him?

9 A. It's possible.

10 Q. So sitting here today, you can't tell me
11 whether he knew or not?

12 A. I couldn't tell you.

13 Q. Okay. What about Perry Rockvam, who is the
14 chief of police, and I assume was at the time
15 that you were arrested. Did -- do you know
16 whether he had any knowledge of your arrest
17 that evening?

18 A. I don't know.

19 Q. Did you ever talk to him personally about your
20 arrest?

21 A. No.

22 Q. And what you allege happened during your
23 arrest?

24 A. No.

25 Q. Do you think that Chief Rockvam had any

1 knowledge of you needing medical care while you
2 were in the jail?

3 A. I think everybody knew there. I mean, they
4 probably heard me in Cody -- in Powell.

5 Q. But that's only if they were in the jail at the
6 time?

7 A. And I sent kites and everything else.

8 Everybody should have known. I know I sent to
9 lieutenants, I sent it to everybody.

10 Q. Did you ever send any personally to Perry
11 Rockvam?

12 A. I don't know who was what at that time.

13 Q. Or Scott Steward?

14 A. I don't know.

15 Q. Did you personally address a letter ever to
16 Scott Steward about your injury?

17 A. Most of the time the jailers just wrote on the
18 kites and sent them back.

19 Q. So you don't know whether he had --

20 A. I don't know if they ever received them or not.

21 Q. Okay.

22 MS. COX: Richard, do you have any
23 questions now.

24 MR. RIDEOUT: Yes. Just a couple.

25 EXAMINATION

Dehaan Deposition Exhibit C

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Jail Log - Query Printout

10/19/2006 9:22:05 AM

Query Parameters: Date Range: 10/29/2004 to 11/07/2004

Officer:

Activity:

Subject: dehaan

Comment:

Date and Time	Officer	Activity	Subject	Comment
10/29/2004 9:02:08 PM	LMarascio	Booking	DEHAAN, RUDOLPH	BOOKED IN, INFO TO FOLLOW
10/29/2004 9:33:46 PM	LMarascio	Booking	DEHAAN, RUDOLPH	W/M DOB/010461 SOC/520867179. CPD STAFFORD/RICHARDS FOR B/W FOR VIOLATION OF PROT ORDER
10/29/2004 9:49:23 PM	LMarascio	CrimHist	DEHAAN, RUDOLPH SR	NEG WANTS/WARRANTS/ FBI/230767V6 SID/WY00028148
10/30/2004 4:55:04 PM	LMarascio	Medical	DEHAAN, RUDY	2 ACETAMINOPHEN PER REQ FOR ACHES IN HIS BROKEN ARM
10/30/2004 8:06:14 PM	LMarascio	Account	DEHAAN, RUDY	ROA FROM LINDA ASBILL \$100.00
10/31/2004 11:15:32 AM	BLaPierre	Medical	DEHAAN, RUDY	PROVIDED 2 TYLENOL BY RX
11/1/2004 7:34:20 AM	AOffley	Medical	DEHAAN, RUDY	R&R 2 TYLENOL
11/1/2004 8:56:33 AM	CHancock	Court	DEHAAN, RUDOLPH	OUT TO CC ESCORTED BY DR & BL
11/1/2004 10:34:01 AM	DRamey	Court	DEHAAN, RUDOLPH	BACK FROM CC. PLED GUILTY. TOTAL OF \$430 OF FINES TO BE PAID BEFORE 30TH DAY OF DEC. 2004. SEVEN DAYS LEFT TO SERVE IN JAIL
11/1/2004 11:37:00 AM	DRamey	Report	DEHAAN, RUDOLPH	TOLD JUDGE IN CC TODAY HE HAD TO BE AT POWELL HOSPITAL FOR AN APPOINTMENT AT 1300 REGARDING HIS LEFT ARM.
11/1/2004 12:31:53 PM	CHancock	Medical	DEHAAN, RUDOLPH	PHONED KEMMERER HOSPITAL TO GET INFORMATION ON MR. DEHAAN. THEY ARE FAXING US A MEDICAL RELEASE FOR MR. DEHAAN TO FILL OUT AND FAX BACK TO THEM.
11/1/2004 12:58:21 PM	DRamey	Report	DEHAAN, RUDOLPH	CONTINUED FROM PREVIOUS REPORT. I CALLED POWELL HOSPITAL ABOUT DEHAAN AND THEY KNEW NOTHING ABOUT HIS APPOINTMENT. SO I WENT TO DEHAAN AND HE SAID HE HAD MADE A MISTAKE IT WAS KEMMERER HOSPITAL WE HAD TO CALL TO GET THE INFORMATION. AT THAT POINT
11/1/2004 1:01:44 PM	DRamey	Report	DEHAAN, RUDOLPH	CONT. - OFFICER HANCOCK TOOK OVER SEEKING INFORMATION ON DEHAAN.
11/2/2004 11:31:32 AM	CHancock	Medical	DEHAAN, RUDOLPH	FAXED MEDICAL REQUEST TO HERK
11/2/2004 1:15:35 PM	CHancock	Medical	DEHAAN, RUDOLPH	OUT TO CALL HIS MOTHER ABOUT HIS MEDICAL
11/2/2004 1:35:04 PM	CHancock	Medical	DEHAAN, RUDOLPH	PHONED KIMMERER HOSPITAL AND SPOKE WITH THEM TO RELEASE HIS MEDICAL RECORDS. THEY ARE TO BE FAXING US THE INFORMATION.
11/2/2004 2:05:15 PM	CHancock	Medical	DEHAAN, RUDOLPH	RECEIVED MEDICAL INFORMATION FROM KIMMERER HOSPITAL COPIED IT AND PLACE A COPY IN HIS FILE AND PROVIDED HIM WITH THE ORIGINAL. THE INFORMATION SHOWS HE WAS TREATED ON 10/12/04 AND NEEDS TO BE SEEN IN 4 WEEKS FROM THAT DATE, WHICH MEANS HE NEEDS TO BE
11/2/2004 2:05:24 PM	CHancock	Medical	DEHAAN, RUDOLPH	SEEN AFTER HIS RELEASE DATE WHICH IS 11/8/04.
11/2/2004 2:06:27 PM	CHancock	Medical	DEHAAN, RUDOLPH	LEFT MESSAGE AT MR. SIMPSON'S OFFICE
11/3/2004 9:30:06 AM	CHancock	Phone	DEHAAN, RUDOLPH	RECEIVED 4 PAIR OF SOCKS AND 4 PAIR OF UNDERWEAR PLACED IN LOCKER
11/3/2004 10:16:55 AM	JSimmons	Report	DEHAAN, RUDOLPH	AT APP 1115 TRANSFERRED TO BHCO BY VV AND KB, ASSISTED BY KBT, CH AND JS
11/3/2004 12:58:21 PM	KThagard	Transfer	DEHAAN, RUDOLPH	TIME SERVED RELEASED FROM BHCO
11/7/2004 1:38:35 PM	CHancock	Release	DEHAAN, RUDOLPH	